

**TOWN OF NEEDHAM
SMOKING IN THE WORKPLACE POLICY
PERSONNEL ADMINISTRATION #409**

I. PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Town of Needham remains in compliance with the regulations promulgated by the Needham Board of Health governing smoking in the workplace.

II. APPLICABILITY

This policy applies to all employees of the Town of Needham excluding those employees under the supervision and control of the School Committee or the Trustees of the Glover Memorial Hospital.

III. DEFINITIONS

Non-smoking Area – Any area that is designated and posted by the person in charge as a place where smoking is prohibited.

Smoking – The lighting of any cigar, cigarette, pipe or other tobacco product or the possession of any lighted cigar, cigarette, pipe or other tobacco product.

Workplace – Any area within a structure or portion thereof at which two (2) or more employees perform services for their employer, including employee lounges, rest rooms, conference rooms, hallways, stairways and entrance ways.

IV. POLICY

In accordance with the Needham Board of Health Regulations Affecting Smoking and the Sale, Vending and Distribution of Tobacco in Needham, it is the policy of the Town of Needham that smoking in the workplace, except in specifically designated areas, is prohibited.

V. PROCEDURES

- A. Each appointing authority or designee having control over a Town facility which constitutes a workplace may specifically designate an area or areas in which employees may smoke. Such designated area(s) (if provided) shall be the only place in the workplace in which smoking will be permitted.
- B. Comparable non-smoking areas of sufficient size and capacity will be made available to accommodate the needs of all non-smoking employees.
- C. No department head or appointing authority who has control or authority over a Town facility which constitutes a workplace shall knowingly permit a violation of this policy.

VI. COMPLAINT PROCEDURES

- A. Any employee having a complaint that he or she is being exposed to smoke or smoking by-products because of poor ventilation or inadequate nonsmoking areas may object in writing to his or her department head.
- B. The department head must respond to the employee within ten (10) working days of receipt of the complaint.
- C. If the issue is not resolved to the satisfaction of the employee within ten (10) days, he or she may immediately file a written complaint to the Personnel Director, who will respond within ten (10) working days of receipt of that complaint.
- D. If, after twenty (20) working days from the date that the original complaint was filed with the department head, the Town has not begun to resolve the objecting employee's complaint, the employee may file a written complaint with the Board of Health.

VII. SANCTIONS

Any employee who continues to knowingly violate this policy may be subject to disciplinary action.

EFFECTIVE DATE: JULY 1, 1992